

**DOCKET SECTION
BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268**

RECEIVED
FEB 23 4 19 PM '98
MAIL ROOM
GENERAL DELIVERY

_____)
Postal Rate and Fee Changes, 1997)
_____)

Docket No. R97-1

**MOTION TO DISMISS
TESTIMONY OF JOE MONASTRO**

The Recording Industry Association of America and Advertising Mail Marketing Association hereby respectfully move that the testimony and related classification change proposal of Joe Monastro filed with the Commission on December 30, 1997 and designated as RIAA, et al.-T-2 be dismissed without prejudice.

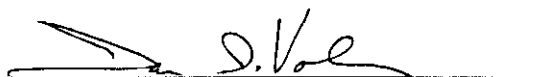
This classification proposal dealt with a narrow question relating only to "resealed parcels" -- those that are received by the consumer, opened and resealed and deposited in the mail without postage. Such parcels have, under Postal Service operation procedures, been routed to mail recovery centers, stripped and sold at public auction.

As a result of extensive discussions between the Postal Service and officials and members of the Advertising Mail Marketing Association and Recording Industry Association of America the Postal Service has proposed to distribute to the field a statement clarifying its operating procedures. It is the view of affected mailers that the clarification to the Postal Service's operating procedures will resolve or at the very least very substantially ameliorate the problem that is the subject of Mr. Monastro's testimony. The Postal Service has not yet published the clarification in the Postal Bulletin. However, in view of the timing of Mr. Monastro's scheduled appearance before the Commission and in order to avoid needlessly burdening the Commission

and the Postal Service, we have concluded that it is appropriate to rely in good faith on the Postal Service's anticipated publication of the clarification in a form acceptable to the mailing community and to voluntarily dismiss Mr. Monastro's testimony and the associated classification proposal without prejudice.

Counsel for the Postal Service has indicated that it will not interpose any objection to this motion.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'I. Volner', is written over a horizontal line.

Ian D. Volner
N. Frank Wiggins
Venable, Baetjer, Howard & Civiletti, LLP
1201 New York Avenue, N.W., Suite 1000
Washington, D.C. 20005
(202) 962-4800/FAX (202) 962-8300

Counsel to Recording Industry Association of
America and Advertising Mail Marketing
Association

February 23, 1998

CERTIFICATE OF SERVICE

I hereby certify that I have on this date served this document upon all participants of record in this proceeding in accordance with section 12 of the rules of practice.


Ian D. Volner

DATE: February 23, 1998